

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Oppermann et al.

Examiner:

Serial No.: 599,543

Group Art Unit:

Filed: October 18, 1990

Attorney Docket: CRP-056

Title: OSTEOGENIC PROTEIN

BOX SEQUENCE

Honorable Commissioner of Patents and Trademarks
Washington, DC 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Honorable Commissioner of Patents and Trademarks, Washington, DC 20231 on the date set forth below.

12/4/90
Date of Signature
and of Mail Deposit

By Edmund R. Pitcher
Edmund R. Pitcher
Registration No. 27,829
Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

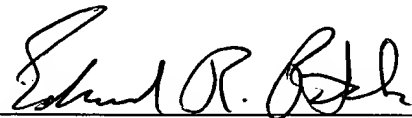
Responsive to the Notice to File Missing Parts mailed on November 13, 1990, we enclose a fully-executed Declaration and Assignment, with an attached copy of the application as filed, a copy of the Notice referenced above, and our checks for \$120.00 to cover surcharge fees for late submittal of formal papers, and \$8.00 to cover Assignment Recordal fees.

Please charge any underpayments of these fees, or credit any overpayments to Deposit Account No. 12-0080. A copy of this letter is enclosed.

Responsive to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence Disclosures, a copy of which is enclosed, we enclose a substitute diskette for the diskette originally filed with the above-referenced patent application. The computer readable form of the Sequence Listing contained on the enclosed substitute diskette is understood to comply with the requirements of §1.824(d), and is identical in substance to the Sequence Listing appearing on pp. 34-42 of the Specification.

Respectfully submitted,

LAHIVE & COCKFIELD



Edmund R. Pitcher
Attorney for Applicants
Reg. No. 27,829

60 State Street
Boston, MA 02109
(617) 227-7400
December 4, 1990



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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTY DOCKET NO./TITLE

07/599,543 10/18/90 OPPERMANN H CRP-056 #4

LAHIVE & COCKFIELD
60TH STATE STREET
BOSTON, MA 02109

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DATE MAILED: 11/13/90

NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

A filing date has been granted to this application. However, the following parts are missing.

If all missing parts are filed within the period set below, the total amount owed by applicant as a

☒ large entity, ☐ small entity (verified statement filed), is \$ NONE

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit \$ _____ to complete the basic filing fee and MUST ALSO SUBMIT THE SURCHARGE AS INDICATED BELOW.
2. ☐ Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. NO SURCHARGE IS REQUIRED FOR THIS ITEM.
3. ☒ The oath or declaration:
☒ is missing.
☐ does not cover items omitted at time of execution.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.

4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
5. ☐ The signature to the oath or declaration is: ☐ missing; ☐ a reproduction; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:
_____. An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Receipt Date is required. A SURCHARGE MUST ALSO BE SUBMITTED AS INDICATED BELOW.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$30.00 under 37 CFR 1.17(k), unless this fee has already been paid. NO SURCHARGE IS REQUIRED FOR THIS ITEM.
8. ☐ A \$50.00 processing fee is required for returned checks. (37 CFR 1.21(m)).
9. ☐ Your filing receipt was mailed in error because check was returned without payment.
10. ☐ Other.

An Application Number and Filing Date have been assigned to this application. The missing parts and fees identified above in items 1 and 3-6 must be timely provided ALONG WITH THE PAYMENT OF A SURCHARGE of \$120.00 for large entities or \$60.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all missing parts and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Direct the response to, and any questions about, this notice to ATTENTION: Application Division, Special Handling Unit.

Dora Z. Strand
A copy of this notice **MUST** be returned with response.

For: Manager, Application Division
(703) 557-308-1202

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